

March 25, 2009 - Slaughter Speaks at Brookings Institution/Canadian International Council Event

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Rep. Slaughter Speaks at
Brookings Institution/Canadian International Council Northern Border Event

Slaughter's Remarks Discuss Shared Border Management and the Western Hemisphere Travel Initiative

Washington, DC - Congresswoman

Louise M. Slaughter (D-NY-28), Chair of the House Committee on Rules and a long time Congressional leader on northern border issues, today gave remarks at a forum on the economic and security issues associated with the U.S.-Canada border. Today's event, hosted by the Brookings Institution and the Canadian International Council, took place at the Brookings Institution Building in Washington, DC.

The text of Congresswoman Slaughter's remarks, as prepared, follows.

As with many people who live along the U.S.-Canada border, we in Western New York do not think of the bi-national Buffalo-Niagara region as two separate countries, but rather as one community with a river running through it. We have shared principles and values, and rely on an intertwining economic relationship that is vital to our prosperity.

However, as changes are coming to border regulation, and as long-held views towards the border are being challenged, two pressing issues stick out to me as critical to successful border management: Shared Border Management, and the rapidly approaching Western Hemisphere Travel Initiative (WHTI) implementation.

Shared Border Management was born in the spirit of cooperation and shared security concerns. In December 2001, in order to address the emerging security and traffic issues arising from 9/11, Canada and the United States agreed to the Smart Border Declaration. The Declaration's aim was to enhance the security of the U.S.-Canada border, while facilitating the flow of low-risk people and goods. Under that Declaration, the two governments agreed on December 17, 2004 to issue a framework to put land pre-clearance in place at the Peace Bridge.

The pre-clearance pilot, called Shared Border Management, would involve the relocation of all United States primary and secondary border operations for both commercial and passenger traffic from Buffalo, NY to Fort Erie, Canada. A reciprocal relationship would take place at the Alexandria Bay Bridge.

However in 2007, after months of negotiations, Secretary Michael Chertoff announced that he was unilaterally cutting of talks on Shared Border Management. With this decision the Secretary dismissed a system that would not only save both countries millions of dollars, but would also enhance security and trade facilitation while minimizing adverse effects on border communities. It also ended an important pilot program that could prove a framework for border management across the entire U.S.-Canada border.

The Government Accountability Office has since issued a report, at Congress' request, which identified five issues that arose during negotiations: arrest authority, the right of withdrawal, finger printing, information sharing between and within both governments' law enforcement, and specific issues in the Canadian Charter.

I believe that these issues are surmountable, and I have encouraged both sides to reengage in negotiations and work to find a suitable arrangement. In these tight financial times the savings alone are reason to at least discuss the option of Shared Border Management, and if done correctly it could prove to be a successful national security initiative. In fact, in meetings on the Buffalo Peace Bridge expansion project over the past year, several federal officials from the Federal Highway Administration and Customs and Border Protection conceded that implementing Shared Border Management would eliminate significant risk factors for the Peace Bridge Expansion Project as well as facilitate border security. And in Buffalo alone, Shared Border Management would save the U.S. government \$250 million on construction of a bridge inspection plaza, and save an historical neighborhood from the wrecking ball.

However, in the Buffalo-Niagara region and all across the border, the most pressing issue facing border communities is the implementation of the Western Hemisphere Travel Initiative. It is clear that our economy relies on the smart functioning of the Northern border, and I can say with certainty that no issue raises more anxiety in my community than WHTI.

I recognize that there are security concerns at our border, and that in the post-9/11 world it is important that we know that those entering both of our countries are who they say they are, mean us no harm, and have the secure documents to prove it. That is why I agree with the intent of WHTI. We must be confident that the documents individuals present for entry into the United States are secure and authentic. However, there is not a one-size-fits-all approach to our border concerns. We cannot simply flip a switch and move from having the world's largest open-border to requiring expensive new crossing documentation. In fact, former 9/11 Commissioner Slade Gorton has noted that WHTI incorrectly implements the 9/11 Commission's recommendations and will have severe economic repercussions on both nations.

Recognizing this, in 2007 I led the charge in Congress to delay the implementation of WHTI from January, 2008 until June, 2009. Language mandating this delay was successfully included in the FY08 Omnibus appropriations bill which was signed into law in December, 2007. This action was necessary in order to make sure that we do not rush this proposal that currently has many flaws, and it was incorporated into the final rule on the land and sea portion of WHTI which was released by DHS on March 27, 2008.

It has become clear over the past year that this delay has proved to be absolutely necessary. Consider what has been done since the original January 2008 deadline in Western New York alone towards WHTI implementation. The first NEXUS enrollment center in Western New York was not opened until September of 2008, and the RFID technology that

is so critical to the success of Passport cards, NEXUS cards, and Enhanced Driver's Licenses, did not "go live" at the Peace Bridge in Buffalo until this past November. At other important border crossings in New York State and Michigan, this vital technology is not set to be working and active until April; less than two months before final WHTI implementation.

Despite this progress being made, and despite DHS and State Department issuing their WHTI certification last month, I, along with a number of my colleagues along the border remain unconvinced that WHTI is ready to be implemented in a way that will not harm the cross border trade and travel that is so critical to our border communities. I also believe that the broader economic impact of moving forward with a June 1st implementation has not been fully considered in conjunction with our shared security concerns.

During President Obama's recent visit to Ottawa, he and Prime Minister Harper stressed the importance of a healthy U.S.-Canada trade relationship to bringing both countries out of the current economic recession. I would contend that a successful WHTI implementation is an important aspect of this trade relationship, and a failed WHTI implementation could have a devastating affect on not only border communities, but on the broader national economies.

The economic downturn facing both countries has already dramatically affected cross border travel and trade. Statistics from the Public Border Operators Association show that passenger, truck and bus crossings at all New York and Michigan border crossings in January of 2009 decreased by an average of over 16% from January 2008 levels. In Western New York, traffic at the Lewiston-Queenston Bridge and the Peace Bridge decreased by 19% and 13% respectively.

If WHTI is not

implemented properly it will only compound the current negative trend in commerce across the border. Not only would this severely cripple border communities, but the negative affects on the economy would be felt nation-wide. Additionally, the 2010 Olympics in Vancouver are just around the corner. Confusion and delay at the border because of documentation requirements would severely damage an event that should have such a great economic impact on both sides of the border.

For this reason I am prepared to introduce legislation that would delay the WHTI implementation date for one more year until June 1, 2010. This will give the administration time to fully address the infrastructure needs at every single crossing along the border, and will also allow for an aggressive outreach effort by DHS to educate people about the new border rules. DHS and the State Department must engage in a public relations campaign to educate border communities and Americans seeking to cross the border on the new requirements and encourage continued cross-border travel and commerce.

Those of us on both sides of the border must work together to find solutions that ensure a smooth transition to the new documentation security measures. We must find an appropriate balance between ensuring our country's security, and protecting the economic health of our border communities. The stakes are simply too high for this effort to fail.

As we all know, border security and economic vitality are not mutually exclusive.

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